

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

DUSTIN GENCO,

Defendant.

INFORMATION

23 Cr.

23 CRIM 391

COUNT ONE
(Deprivation of Rights Under Color of Law)

The United States Attorney charges:

1. On or about October 20, 2022, in the Southern District of New York and elsewhere, DUSTIN GENCO, the defendant, while acting under color of law, willfully deprived an individual (the “Victim”) of the right secured and protected by the Constitution and the laws of the United States to be free from unreasonable searches and seizures, which includes the right to be free from a law enforcement officer’s use of unreasonable force, to wit, while working as a Task Force Officer with the United States Drug Enforcement Administration (the “DEA”), and during the arrest of the Victim, GENCO assaulted the Victim, including by forcefully kicking the Victim in the chest and stomach area while the Victim was restrained in handcuffs, resulting in bodily injury to the Victim, in the Bronx, New York.

(Title 18, United States Code, Section 242.)

COUNT TWO
(Obstruction of Justice)

The United States Attorney further charges:

2. In or around October 2022, in the Southern District of New York and elsewhere, DUSTIN GENCO, the defendant, knowingly used intimidation, threatened, and corruptly

persuaded another person, and attempted to do so, and engaged in misleading conduct toward another person, with intent to hinder, delay, and prevent the communication to a law enforcement officer of the United States of information relating to the commission or possible commission of a federal offense, and aided and abetted such conduct, to wit, while working as a DEA Task Force Officer, and following the arrest of the Victim, GENCO intentionally misled a DEA supervisor by, among other things, falsely claiming that the Victim had continued to resist arrest after he was handcuffed, and by failing to truthfully disclose that GENCO had forcefully kicked the Victim in the chest and stomach area while the Victim was restrained in handcuffs.

(Title 18, United States Code, Sections 1512(b)(3) and 2.)

Damian Williams
DAMIAN WILLIAMS
United States Attorney